HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM: HON'BLE SHRI JAGDISH BHALLA, Ag. CJ. &
HON'BLE SHRI SATISH K AGNIHOTRI J.

Writ Petition (C) No.4823/2007

Petitioner

M/s Tirupati Road Lines, Through its Partner Shri Ram Lal Agarwal, S/o Late Ram Kishan Das Agarwal, R/o New Bus Stand, Ambikapur, Sarguja Dist, CG State.

Versus

Respondents

1. South Eastern Coal Field Limited, through its Chairman - cum - Managing Director, SECL Bhawan, Seepat Road, Bilaspur Dist CG State

2. Chief General Manager, Contract Management Cell, SECL Bhawan, Seepat Road, Bilaspur CG State

Writ Petition under Article 226 of the Constitution of India

Present : Shri KR Nair, counsel for the petitioner.
Shri PS Koshy, counsel for the respondents.

Oral Order

(Passed on 16th August, 2007)

The following oral order of the Court was passed by **Hon'ble Jagdish Bhalla, Ag. C.J.**

Petition is regarding tender. According to the petitioner, he reached within time to deposit the tender form, but, he found that the tender box was sealed and he had right to file his tender form

as there was still five minutes left. In this connection he indicated that the clock of the Office was five minutes fast. It has been further submitted by learned counsel for the petitioner that indirectly, his tender form was accepted. No other point has been urged.

It has been argued on behalf of the respondents that the tender box was sealed at the scheduled time.

We find that, the thing which can not be done directly, the same can not be done indirectly.

Petitioner can not insist that its tender form be accepted after the tender box was sealed as petitioner does not have legal right to seek interference in the matter in question. Further, this Court can not enter into the factual controversy between the parties under Article 226 of the Constitution of India. Accordingly, the writ petition is dismissed.

Sd/-
Jagdish Bhalla
Ag. Chief Justice

Sd/-
Satish K. Agnihotri
Judge

padma